

OYEN WIGGS GREEN & MUTALA LLP
INTELLECTUAL PROPERTY LAWYERS

Registered Patent & Trademark Agents

480—The Station, 601 West Cordova Street
Vancouver, British Columbia, Canada V6B 1G1
Tel: 604.669.3432
Fax: 604.681.4081
www.patentable.com
mail@patentable.com



29 November, 2005

Commissioner for Patents
United States Patent and Trademark Office
Board of Patent Appeals and Interferences
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Re: United States Patent Application No. 09/738766
Filed 18 December 2000 for
TREE SEEDLING PLUG AND METHOD OF MAKING SAME
Inventor: PELTON, Norman R.
Applicant: Pelton Reforestation Ltd.
Our File: P398 0001

Please find enclosed for filing the following:

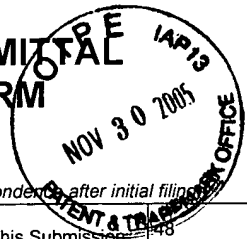
- 1) Appeal Brief in triplicate;
- 2) petition for four-month extension of time;
- 3) cheque in the amount of \$1,045 in payment of Appeal Brief and extension fees.

Yours truly,

A handwritten signature in cursive script, appearing to read "Bruce M. Green".

Bruce M. Green
BMG/cnr
Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 48

| | |
|------------------------|-------------------|
| Application Number | 09/738,766 |
| Filing Date | 12/18/2000 |
| First Named Inventor | Norman R. Pelton |
| Art Unit | 3643 |
| Examiner Name | Andrea M. Valenti |
| Attorney Docket Number | P398 0001 |

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Cover letter and cheque for \$1045 in payment of appeal brief fee and extension fees |
|---|---|---|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---------------------------|----------|--------|
| Firm Name | Oyen Wiggs Green & Mutala | | |
| Signature | | | |
| Printed name | Bruce M. Green | | |
| Date | November 29, 2005 | Reg. No. | 30,524 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|--|------|--|
| Signature | | | |
| Typed or printed name | | Date | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.